

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**

**CYNTHIA R. PEREZ**

**V.**

**BENJAMIN ORTIZ, KNIGHT  
TRANSPORTATION AND KNIGHT  
TRANSPORTATION, INC.**

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**CIVIL ACTION NO. 2:16-cv-436**

**JURY REQUESTED**

**DEFENDANTS' NOTICE OF REMOVAL**

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW Defendants, BENJAMIN ORTIZ, KNIGHT TRANSPORTATION AND KNIGHT TRANSPORTATION, INC., and hereby give notice of their removal of Cause No. 2016CCV-62108-1 filed in the County Court at Law No. One (1) of Nueces County, Texas, to the United States District Court for the Southern District of Texas pursuant to the provisions of 28 U.S.C. §§ 1441(a) and 1446.

**Factual Background**

1. On or about November 14, 2014, Plaintiff claims she was injured when her vehicle was struck by a Knight Transportation tractor and trailer in Nueces County, Texas. Plaintiff filed suit in state court.

2. Plaintiff filed suit in state court on September 12, 2016. Service of Citation and Petition with Requests for Disclosure on Knight Transportation and Knight Transportation, Inc. by service on the Chair of the Texas Transportation Commission on September 28, 2016. Service of Citation and Petition with Requests for Disclosure was on Benjamin Ortiz by service on the Chair of the Texas Transportation Commission on September 28, 2016. In Plaintiff's Petition there is a monetary claim for damages in an amount greater than \$100,000.00, which exceeds the

jurisdictional minimum. The case has been on file for less than one year. Removal is both timely and appropriate.

### **Basis for Removal and Jurisdiction**

3. This cause may be removed pursuant to 28 U.S.C. § 1441(a). “[A]ny civil action brought in State court of which the district courts of the United States have original jurisdiction, may be removed by the defendant . . . , to the district court of the United States for the district and division embracing the place where such action is pending.” This Court has jurisdiction over this matter under 28 U.S.C. § 1332 because there is complete diversity of citizenship and the amount in controversy is greater than \$75,000.00.

### **Full Diversity Between the Parties**

#### ***Complete Diversity of Citizenship***

4. To have diversity of citizenship, each plaintiff must have a different citizenship from each defendant. 28 U.S.C. § 1332. Complete diversity of citizenship exists between the parties as the Plaintiff is a Texas citizen and none of the Defendants are Texas citizens or corporations

5. Plaintiff, Cynthia R. Perez, is a resident and citizen of the State of Texas.

6. Defendant, Benjamin Ortiz, is a resident and citizen of the State of Florida.

7. Defendants, Knight Transportation and Knight Transportation, Inc. is an Arizona corporation with its principal place of business in Arizona.

#### ***Amount in Controversy***

8. In order for diversity jurisdiction to exist, the amount in controversy must exceed \$75,000.00, exclusive of interest and costs. 28 U.S.C. § 1332(a).

9. In papers filed in State court, Plaintiff alleges damages being sought are over \$100,000.00, but not more than \$200,000.00.

### **Removal is Timely and Appropriate**

10. If the plaintiff creates diversity jurisdiction sometime after filing the initial complaint, the defendant has one year from the commencement of the suit to remove. 28 U.S.C. § 1446(b). A defendant has 30 days to remove a civil action after receipt of the first pleading or other paper that establishes the jurisdictional grounds. 28 U.S.C. § 1446(b). When diversity is the basis for removal, the defendant can rely on the plaintiff's voluntary assertion of damages within the complaint to meet the monetary jurisdictional requirement for diversity. *S.W.S. Erectors, Inc. v. Infax, Inc.*, 72 F.3d 489, 492 (5th Cir. 1996). "The burden of establishing subject matter jurisdiction in federal court rests on the party seeking to invoke it." *St. Paul Reinsurance Co. v. Greenberg*, 134 F.3d 1250, 1253 (5th Cir. 1998). Here, Plaintiff's Pleading voluntarily asserts an amount in controversy in excess of at least \$100,000.00. This removal is filed within the thirty (30) days of the service of Plaintiff's Petition. The removal is both timely and appropriate.

### **Jury Demanded**

11. Defendants request that the case be tried before a jury.

### **Consent of Served Defendants**

12. Defendants, Knight Transportation, Knight Transportation, Inc. and Benjamin Ortiz, have been properly served and consent to this removal.

### **Compliance with Local Rule and Notice Requirements**

14. Pursuant to 28 U.S.C. § 1446 and Local Rule 81, the following documents are attached to this Notice:

Exhibit A ..... Plaintiff's Original Petition with Civil Case Information Sheet

Exhibit B ..... Citation Request Sheet

Exhibit C ..... Citation for Personal Service - Resident

Exhibit D.....Affidavit of Delivery on Texas Transportation Commission on Benjamin Ortiz

Exhibit E..... Affidavit of Delivery on Texas Transportation Commission on Knight Transportation and Knight Transportation, Inc.

Defendants know of no orders signed by the state judge.

15. Pursuant to 28 U.S.C. 1446(d), written notice of the filing of this instrument will be given to Plaintiff. A true and correct copy of this Notice of Removal will also be attached as an exhibit with the written Notice of Removal filed with the clerk of the state court.

Respectfully submitted,

/s/ Roger D. Oppenheim

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Roger D. Oppenheim

FBN: 14206

SBN: 15292400

OF COUNSEL:

**LORANCE & THOMPSON, P.C.**

2900 North Loop West, Suite 500

Houston, TX 77092

713/868-5560

713/864-4671 (fax)

[rdo@lorancethompson.com](mailto:rdo@lorancethompson.com)

ATTORNEY FOR DEFENDANTS

BENJAMIN ORTIZ, KNIGHT TRANSPORTATION  
AND KNIGHT TRANSPORTATION, INC.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 19<sup>th</sup> day of October, 2016, a true and correct copy of the foregoing instrument was served by e-filing and/or facsimile to the following counsel of record:

Mr. David A. Huerta  
Huerta Guerra Beam, PLLC  
924 Leopard Street  
Corpus Christi, TX 78401  
[dhuerta@hgblawfirm.com](mailto:dhuerta@hgblawfirm.com)

/s/ Roger D. Oppenheim

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Roger D. Oppenheim

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**

**CYNTHIA R. PEREZ**

**V.**

**BENJAMIN ORTIZ, KNIGHT  
TRANSPORTATION AND KNIGHT  
TRANSPORTATION, INC.**

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**CIVIL ACTION NO. 2:16-cv-436**

**JURY REQUESTED**

**INDEX OF MATTERS BEING FILED**

Defendants, KNIGHT TRANSPORTATION, KNIGHT TRANSPORTATION, INC. AND BENJAMIN ORTIZ, in connection with the removal of this case to the United States District Court for the Southern District of Texas, Houston Division, file their index of matters, as follows:

Exhibit A ..... Plaintiff's Original Petition with Civil Case Information Sheet

Exhibit B ..... Citation Request Sheet

Exhibit C.....Citation for Personal Service - Resident

Exhibit D.....Affidavit of Delivery on Texas Transportation Commission on Benjamin Ortiz

Exhibit E..... Affidavit of Delivery on Texas Transportation Commission on Knight Transportation and Knight Transportation, Inc.

Respectfully submitted,

/s/ Roger D. Oppenheim

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Roger D. Oppenheim

FBN: 14206

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OF COUNSEL:

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2900 North Loop West, Suite 500

Houston, TX 77092

713/868-5560

713/864-4671 (fax)

[rdo@lorancethompson.com](mailto:rdo@lorancethompson.com)

ATTORNEY FOR DEFENDANTS

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AND KNIGHT TRANSPORTATION, INC.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 19<sup>th</sup> day of October, 2016, a true and correct copy of the foregoing instrument was served by e-filing and/or facsimile to the following counsel of record:

Mr. David A. Huerta

Huerta Guerra Beam, PLLC

924 Leopard Street

Corpus Christi, TX 78401

[dhuerta@hgblawfirm.com](mailto:dhuerta@hgblawfirm.com)

/s/ Roger D. Oppenheim

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Roger D. Oppenheim

Filed  
9/12/2016 3:00:44 PM  
Anne Lorentzen  
District Clerk  
Nueces County, Texas

# CIVIL CASE INFORMATION SHEET 2016CCV-62108-1

CAUSE NUMBER (FOR CLERK USE ONLY):

COURT (FOR CLERK USE ONLY):

STYLED: CYNTHIA R. PEREZ V. BENJAMIN ORTIZ, KNIGHT TRANSPORTATION, AND KNIGHT TRANSPORTATION, INC.

(e.g., John Smith v. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition or application is filed to initiate a new civil, family law, probate, or mental health case or when a post-judgment petition for modification or motion for enforcement is filed in a family law case. The information should be the best available at the time of filing.

<b>1. Contact information for person completing case information sheet:</b> Name: <u>David A. Huerta</u> Email: <u>dhuerta@hgblawfirm.com</u> Address: <u>924 Leopard St.</u> Telephone: <u>361.884.1632</u> City/State/Zip: <u>CCTX 78401</u> Fax: <u>361.884.7013</u> Signature: <u>/s/ DAVID A. HUERTA</u> State Bar No: <u>00796792</u>		<b>Names of parties in case:</b> Plaintiffs: <u>Cynthia R. Perez</u> Defendants: <u>Benjamin Ortiz, Knight Transportation, and Knight Transportation, Inc.</u> [Attach additional page as necessary to list all parties]		<b>Person or entity completing sheet is:</b> <input checked="" type="checkbox"/> Attorney for Plaintiff/Petitioner <input type="checkbox"/> Pro Se Plaintiff/Petitioner <input type="checkbox"/> Title IV-D Agency <input type="checkbox"/> Other: _____ Additional Parties in Child Support Case: Custodial Parent: _____ Non-Custodial Parent: _____ Presumed Father: _____					
<b>2. Indicate case type, or identify the most important issue in the case (select only 1):</b>									
<b>Civil</b>			<b>Family Law</b>						
<b>Contract</b> <input type="checkbox"/> Consumer/DTPA <input type="checkbox"/> Debt/Contract <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Other Debt/Contract: <b>Foreclosure</b> <input type="checkbox"/> Home Equity—Expedited <input type="checkbox"/> Other Foreclosure <input type="checkbox"/> Franchise <input type="checkbox"/> Insurance <input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Non-Competition <input type="checkbox"/> Partnership <input type="checkbox"/> Other Contract:		<b>Injury or Damage</b> <input type="checkbox"/> Assault/Battery <input type="checkbox"/> Construction <input type="checkbox"/> Defamation <b>Malpractice</b> <input type="checkbox"/> Accounting <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional Liability: <input checked="" type="checkbox"/> Motor Vehicle Accident <input type="checkbox"/> Premises <b>Product Liability</b> <input type="checkbox"/> Asbestos/Silica <input type="checkbox"/> Other Product Liability List Product: <input type="checkbox"/> Other Injury or Damage: <u>Slip and fall</u>		<b>Real Property</b> <input type="checkbox"/> Eminent Domain/Condemnation <input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Trespass to Try Title <input type="checkbox"/> Other Property: <b>Related to Criminal Matters</b> <input type="checkbox"/> Expunction <input type="checkbox"/> Judgment Nisi <input type="checkbox"/> Non-Disclosure <input type="checkbox"/> Seizure/Forfeiture <input type="checkbox"/> Writ of Habeas Corpus—Pre-indictment <input type="checkbox"/> Other:		<b>Marriage Relationship</b> <input type="checkbox"/> Annulment <input type="checkbox"/> Declare Marriage Void <b>Divorce</b> <input type="checkbox"/> With Children <input type="checkbox"/> No Children <b>Other Family Law</b> <input type="checkbox"/> Enforce Foreign Judgment <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Name Change <input type="checkbox"/> Protective Order <input type="checkbox"/> Removal of Disabilities of Minority <input type="checkbox"/> Other:		<b>Post-judgment Actions (non-Title IV-D)</b> <input type="checkbox"/> Enforcement <input type="checkbox"/> Modification—Custody <input type="checkbox"/> Modification—Other <b>Title IV-D</b> <input type="checkbox"/> Enforcement/Modification <input type="checkbox"/> Paternity <input type="checkbox"/> Reciprocity (UIFSA) <input type="checkbox"/> Support Order <b>Parent-Child Relationship</b> <input type="checkbox"/> Adoption/Adoption with Termination <input type="checkbox"/> Child Protection <input type="checkbox"/> Child Support <input type="checkbox"/> Custody or Visitation <input type="checkbox"/> Gestational Parenting <input type="checkbox"/> Grandparent Access <input type="checkbox"/> Paternity/Parentage <input type="checkbox"/> Termination of Parental Rights <input type="checkbox"/> Other Parent-Child:	
<b>Employment</b> <input type="checkbox"/> Discrimination <input type="checkbox"/> Retaliation <input type="checkbox"/> Termination <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Other Employment:		<b>Other Civil</b> <input type="checkbox"/> Administrative Appeal <input type="checkbox"/> Antitrust/Unfair Competition <input type="checkbox"/> Code Violations <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Intellectual Property <input type="checkbox"/> Lawyer Discipline <input type="checkbox"/> Perpetuate Testimony <input type="checkbox"/> Securities/Stock <input type="checkbox"/> Tortious Interference <input type="checkbox"/> Other:							
<b>Tax</b> <input type="checkbox"/> Tax Appraisal <input type="checkbox"/> Tax Delinquency <input type="checkbox"/> Other Tax		<b>Probate &amp; Mental Health</b> <b>Probate/Wills/Intestate Administration</b> <input type="checkbox"/> Dependent Administration <input type="checkbox"/> Independent Administration <input type="checkbox"/> Other Estate Proceedings <input type="checkbox"/> Guardianship—Adult <input type="checkbox"/> Guardianship—Minor <input type="checkbox"/> Mental Health <input type="checkbox"/> Other:							
<b>3. Indicate procedure or remedy, if applicable (may select more than 1):</b>									
<input type="checkbox"/> Appeal from Municipal or Justice Court <input type="checkbox"/> Arbitration-related <input type="checkbox"/> Attachment <input type="checkbox"/> Bill of Review <input type="checkbox"/> Certiorari <input type="checkbox"/> Class Action		<input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Garnishment <input type="checkbox"/> Interpleader <input type="checkbox"/> License <input type="checkbox"/> Mandamus <input type="checkbox"/> Post-judgment		<input type="checkbox"/> Prejudgment Remedy <input type="checkbox"/> Protective Order <input type="checkbox"/> Receiver <input type="checkbox"/> Sequestration <input type="checkbox"/> Temporary Restraining Order/Injunction <input type="checkbox"/> Turnover					
<b>4. Indicate damages sought (do not select if it is a family law case):</b>									
<input type="checkbox"/> Less than \$100,000, including damages of any kind, penalties, costs, expenses, pre-judgment interest, and attorney fees <input type="checkbox"/> Less than \$100,000 and non-monetary relief <input checked="" type="checkbox"/> Over \$100,000 but not more than \$200,000 <input type="checkbox"/> Over \$200,000 but not more than \$1,000,000 <input type="checkbox"/> Over \$1,000,000									



Rev 2/13



Cause No. 2016CCV-62108-1

Cynthia R. Perez	§	In County Court
	§	
vs.	§	
	§	At Law No. _____
Benjamin Ortiz, Knight Transportation,	§	
and Knight Transportation, Inc.	§	
	§	Nueces County, Texas

### PLAINTIFF'S ORIGINAL PETITION

#### 1. Discovery Level and Requests for Disclosure

1.1 Plaintiff requests that the Court issue an order providing for "Level 3" Discovery pursuant to Rule 190.4 of the Texas Rules of Civil Procedure.

1.2 Each Defendant is requested to disclose, within fifty (50) days of service of this petition, the information or material described in T.R.C.P. 194.2(a)-(l).

#### 2. Parties and Service

2.1 Plaintiff is an individual who resides in Corpus Christi, Nueces County, Texas.

2.2 Defendant **Benjamin Ortiz** is an individual residing in Lutz, Florida. Defendant may be served with process at 26654 Players Cir., Apt. 3, Lutz, Hillsborough County, Florida 33559-6210, or at 4505 NW 200<sup>th</sup> St, Miami Gardens, Miami-Dade County, Florida, 33055-1514.

2.3 Defendant Benjamin Ortiz was a "Nonresident Motorist" operating a vehicle on the roadways of the State of Texas at the time of the occurrence in question. As a "Nonresident Motorist" Defendant, Benjamin Ortiz may be served pursuant to Texas C.P.R.C. § 17.061 *et seq.*, by serving the Chair of the Texas Transportation Commission. The Chair of the Texas Transportation Commission, Mr. Tryon D. Lewis,

may be served by serving his designated agent for service of process, The Office of General Counsel at 125 E. 11th Street, Austin, Texas 78701-2483. Defendant Benjamin Ortiz may be served at 26654 Players Cir., Apt. 3, Lutz, Hillsborough County, Florida 33559-6210, or at 4505 NW 200 St., Miami Gardens, Miami-Dade County, Florida, 33055. Plaintiff hereby tenders the \$25.00 fee to and requests the Chair of the Texas Transportation Commission to supply a certificate certifying any action or occurrence associated with the service of process.

2.4 Defendant **Knight Transportation** is a foreign entity utilizing the public roadways of the State of Texas. Defendant Knight Transportation was a "Nonresident Motorist" operating a vehicle on the roadways of the State of Texas at the time of the occurrence in question. As a "Nonresident Motorist," Defendant Knight Transportation may be served pursuant to Texas C.P.R.C. § 17.061 *et seq.*, by serving the Chair of the Texas Transportation Commission. The Chair of the Texas Transportation Commission, Mr. Tryon D. Lewis, may be served by serving his designated agent for service of process, The Office of General Counsel at 125 E. 11th Street, Austin, Texas 78701-2483. Defendant Knight Transportation may be served at 115232 Stoney Creek Road, Noblesville, Nobleville County, Indiana 46060. Plaintiff hereby tenders the \$25.00 fee to and requests the Chair of the Texas Transportation Commission to supply a certificate certifying any action or occurrence associated with the service of process.

2.5 Defendant **Knight Transportation, Inc.**, is a foreign entity registered to do business in the State of Texas and may be served with citation by serving its registered

agent for service of process, C T Corporation System 1999 Bryan St., Ste. 900 Dallas, Dallas County, Texas 75201-3136.

2.6 Pursuant to Texas Rule of Civil Procedure 28, and for the purpose of enforcing a substantive right, Plaintiff also hereby sues all corporations, limited liability companies, partnerships, unincorporated associations, private corporations, companies of any kind, and/or individuals doing business under the assumed or common name "Knight Transportation" or any similar name, combination, or derivation, as well as any entity that owned or exercised control over the vehicle involved in a motor vehicle collision with the Plaintiff as described below.

### **3. Jurisdiction and Venue**

3.1 The amount in controversy is within the jurisdictional limits of this Court.

3.2 Venue is proper in Nueces County under T.C.P.R.C. § 15.002(a)(1) because all or a substantial part of the events or omissions giving rise to this lawsuit occurred in Nueces County, Texas.

### **4. Facts**

4.1 This suit arises from an auto collision that occurred in Nueces County, Texas, on or about November 14, 2014. On that date, Defendant failed to use ordinary care in driving his vehicle and struck Plaintiff's vehicle. As a result of the collision, Plaintiff suffered injuries.

### **5. Negligence**

5.1 Defendant Ortiz had a duty to use reasonable care in driving his vehicle. On the occasion in question, Defendant failed to use reasonable care, and his negligence

proximately caused the collision in question and Plaintiffs' damages. Defendant was negligent in one or more of the following ways:

- a. Failing to yield the right of way;
- b. Failing to keep a proper lookout.

5.2 At the time of the incident in question, Defendant Dominguez was in the course and scope of his employment for Defendant Knight Transportation, Inc. Defendant Knight Transportation, Inc., is therefore responsible for his conduct under the doctrine of *respondeat superior*.

5.3 Defendant Knight Transportation had a duty to use reasonable care in training and supervising Defendant Dominguez and in entrusting its vehicle. Defendant Knight Transportation failed to use reasonable care, and its negligence proximately caused the collision in question and Plaintiffs' damages. Defendant was negligent in one or more of the following ways:

- a. Hiring an unfit driver;
- b. Failing to properly train or supervise its employee;
- c. Failing to properly monitor its employee's driving;
- d. Failing to adopt or implement proper policies or procedures regarding safe driving practices;
- e. Entrusting a vehicle to a driver it knew or should have known was incompetent or reckless.

5.4 Defendants' negligence, as described above, proximately caused the incident in question and Plaintiff's damages.

## **6. Damages**

6.1 As a proximate result of Defendants' negligence, Plaintiff suffered serious injuries. Plaintiff seeks recovery for all categories of damages permitted by Texas law, past and future, which may include but are not limited to:

- a. Reasonable and necessary medical expenses;
- b. Physical pain and suffering and mental anguish;
- c. Physical impairment;
- d. Loss of wage-earning capacity;
- e. Property damage and/or diminished value of property.

6.2 Plaintiff's damages have occurred in the past and in reasonable probability will continue into the future.

#### **7. Jury Demand**

7.1 Plaintiff requests a trial by jury and tenders the appropriate fee.

#### **8. Statement Required By Rule 47**

8.1 Based on the information currently available, this case is subject to T.R.C.P. 47(c)(3). Plaintiff reserves the right to amend this statement as additional information becomes available. At the time of trial, Plaintiff will ask the jury to allow full compensation for all harms and losses Plaintiff has suffered as a result of Defendants' negligence and/or negligence.

#### **9. Prayer**

9.1 For these reasons, Plaintiff asks that the Court issue citation for Defendants to appear and answer, and that the Court enter judgment for Plaintiff against Defendants for the following:

- a. Actual damages;
- b. Pre- and post-judgment interest to the full extent permitted by law;
- c. Costs of suit; and
- d. All other relief to which Plaintiff may be justly entitled.

Respectfully submitted,

**HUERTA GUERRA BEAM, PLLC**  
924 Leopard St.  
Corpus Christi, Texas 78401  
(361) 884-1632  
(361) 884-7013 Fax

/s/ DAVID A. HUERTA

**David A. Huerta**

State Bar No. 00796792

[dhuerta@hgblawfirm.com](mailto:dhuerta@hgblawfirm.com)

**Patrick L. Beam**

State Bar No. 01955560

[pbeamAlerts@gmail.com](mailto:pbeamAlerts@gmail.com)

Filed  
9/12/2016 3:00:44 PM  
Anne Lorentzen  
District Clerk  
Nueces County, Texas

## CITATION REQUEST SHEET

**SERVICE WILL ONLY BE ISSUED UPON PAYMENT OF COST**

**CAUSE NUMBER:** 2016CCV-62108-1

**DATE OF REQUEST:** September 12, 2016

**NAME OF DOCUMENT/PLEDING TO BE SERVED:**

**Plaintiff's Original Petition and Request for Disclosure**

**SERVICE BY:**

**[ ☒ ] ATTORNEY OR PROCESS SERVER: Joe Perez PHONE: 361.688.0765**

☐ CERTIFIED MAIL ☐ RESTRICTED DELIVERY ☐ CONSTABLE/SHERIFF ☐ RETURN BY MAIL

[ ] COURTHOUSE POSTING # OF DAYS TO BE POSTED:\_\_\_ STATEMENT OF SUIT (USE REVERSE SIDE)

[[ PUBLICATION # OF DAYS TO BE PUBLISHED: \_\_\_\_\_]]

NAME OF NEWSPAPER: \_\_\_\_\_

**PARTY/PARTIES TO BE SERVED:**

**1. Defendant Knight Transportation, Inc.,** is a foreign entity registered to do business in the State of Texas and may be served with citation by serving its registered agent for service of process, C T Corporation System 1999 Bryan St., Ste. 900 Dallas, Dallas County, Texas 75201-3136.

**2. Defendant Knight Transportation** may be served as a non resident motorist may be served pursuant to Texas C.P.R.C. § 17.061 *et seq.*, by serving the Chair of the Texas Transportation Commission. The Chair of the Texas Transportation Commission, Mr. Tryon D. Lewis, may be served by serving his designated agent for service of process, The Office of General Counsel at 125 E. 11th Street, Austin, Texas 78701-2483. Defendant Knight Transportation may be served at 115232 Stoney Creek Road, Noblesville, Nobleville County, Indiana 46060. Plaintiff hereby tenders the \$25.00 fee to and requests the Chair of the Texas Transportation Commission to supply a certificate certifying any action or occurrence associated with the service of process.

**3. Defendant Benjamin Ortiz** may be served as a non resident motorist may be served pursuant to Texas C.P.R.C. § 17.061 *et seq.*, by serving the Chair of the Texas Transportation Commission. The Chair of the Texas Transportation Commission, Mr. Tryon D. Lewis, may be served by serving his designated agent for service of process, The Office of General Counsel at 125 E. 11th Street, Austin, Texas 78701-2483. Defendant Benjamin Ortiz may be served at 26654 Players Cir., Apt. 3, Lutz, Hillsborough County, Florida 33559-6210, or at 4505 NW 200 St., Miami Gardens, Miami-Dade County, Florida. 33055.

Plaintiff hereby tenders the \$25.00 fee to and requests the Chair of the Texas Transportation Commission to supply a certificate certifying any action or occurrence associated with the service of process.

**SIGNATURE REQUIRED BY ATTORNEY YOR PARTY REQUESTING PROCESS:**

**NAME** /s/ DAVID A. HUERTA **PHONE NUMBER** 361.884.1632

MAILING ADDRESS 924 Leopard St. Corpus Christi, Texas 78401



COPY

**Citation for Personal Service –RESIDENT**

Case Number: **2016CCV-62108-1**

THE STATE OF TEXAS

NOTICE TO DEFENDANT: You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you.

TO: **Knight Transportation, Inc.**  
**By Serving Its Registered Agent**  
**CT Corporation System**  
**1999 Bryan St., Ste 900**  
**Dallas, TX 75201-3136**

the Defendant,

GREETING: You are commanded to appear by filing a written answer to the **Plaintiff's Original Petition, Civil Case Information Sheet**; at or before 10:00 o'clock a.m. of the Monday next after the expiration of 20 days after the date of service of this citation before the **Honorable Robert J. Vargas, County Court at Law #1** of Nueces County, Texas at the Courthouse of said County in Corpus Christi, Texas. Said Petition was filed on the 12th day of September, 2016. A copy of same accompanies this citation.  
The file number of said suit being Number: **2016CCV-62108-1**

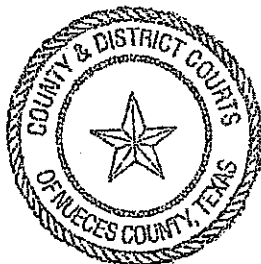
The style of the case is: **Cynthia R Perez vs. Benjamin Ortiz, Knight Transportation, Knight Transportation, Inc.**

Said Petition was filed in said court by **David A Huerta**, attorney for Plaintiff, whose address is 924 Leopard, Corpus Christi, TX 78401 .

The nature of the demand is fully shown by a true and correct copy of the Petition accompanying this citation and made a part hereof.

The officer executing this writ shall promptly mail the same according to requirement of law, and the mandates thereof, and make due return as the law directs.

Issued and given under my hand and seal of said court at Corpus Christi, Texas, this 21st day of September, 2016.



**ANNE LORENTZEN, DISTRICT CLERK**  
**NUECES COUNTY, TEXAS**  
**901 LEOPARD STREET, ROOM 313**  
**CORPUS CHRISTI, TEXAS 78401**

BY: Martha Hominick, Deputy  
Martha Hominick





**RETURN OF SERVICE**

2016CCV-62108-1

CYNTHIA R PEREZ

COUNTY COURT AT LAW #1

VS.

BENJAMIN ORTIZ,KNIGHT  
TRANSPORTATION,KNIGHT  
TRANSPORTATION, INC.

Name \_\_\_\_\_

**ADDRESS FOR SERVICE**

Knight Transportation, Inc.  
By Serving its Registered Agent  
CT Corporation System  
1999 Bryan St., Ste 900  
Dallas, TX 75201-3136

**OFFICER'S OR AUTHORIZED PERSON'S RETURN**

Came to hand on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_ m., and executed in \_\_\_\_\_ County, Texas by delivering to the within named defendant in person, a true copy of this Notice of Petition to Suspend License with the date of delivery endorsed thereon, together with the accompanying copy of the \_\_\_\_\_, at the following times and places, to-wit:

NAME	DATE/TIME	PLACE, COURSE & DISTANCE FROM COURTHOUSE

And not executed as to the defendant(s), \_\_\_\_\_

The diligence used in finding said defendant(s) being: \_\_\_\_\_

and the cause of failure to execute this process is: \_\_\_\_\_

and the information received as to the whereabouts of said defendant(s) being: \_\_\_\_\_

Fees:

Serving Petition and Copy	\$ _____	_____	Officer
Total	\$ _____	_____	County, Texas
		By _____	Deputy

**COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.**

In accordance with Rule 107: The officer or authorized person who serves, or attempts to serve, a Notice of Petition to Suspend License shall sign the return. The signature is not required to be verified. If the return is signed by a person other than a sheriff, constable, or the clerk of the court, the return shall be signed under penalty of perjury and contain the following statement:

"My name is \_\_\_\_\_, my date of birth is \_\_\_\_\_, and my  
(First, Middle, Last)

address is \_\_\_\_\_  
(Street, City, State, Zip, Country)

I DECLARE UNDER PENALTY OF PERJURY THAT THE FORGOING IS TRUE AND CORRECT.

Executed in \_\_\_\_\_ County, State of \_\_\_\_\_, on the \_\_\_\_\_ day of  
of \_\_\_\_\_, 20\_\_\_\_.

Declarant / Authorized Process Server

ID# &amp; Expiration of Certification

## AFFIDAVIT OF DELIVERY

State of Texas

Nueces County

County Court at Law Number One

Cause Number: 2016CCV-62108-1

Cynthia R. Perez, Plaintiff

vs.

Benjamin Ortiz, Knight Transportation, Knight Transportation, Inc., Defendants

DOCUMENTS: Citation for Personal Service- Department of Transportation with Plaintiff's Original Petition and Civil Case Information Sheet

CAME TO MY HAND ON: September 21, 2016, at 3:15 p.m.

DOCUMENTS DELIVERED BY ME ON: September 28, 2016 at 12:02 p.m.

DELIVERED BY ME AT: 125 East 11<sup>th</sup> Street, 6<sup>th</sup> Floor  
Austin, Travis County, Texas 78701

X Personally delivered by me the documents (two true and correct copies of the Citation for Personal Service with Plaintiff's Original Petition and Civil Case Information Sheet) **TO BENJAMIN ORTIZ BY DELIVERING IN DUPLICATE COPIES TO THE TEXAS TRANSPORTATION COMMISSION; MR. TRYON D. LEWIS BY SERVING ITS DESIGNATED AGENT, THE OFFICE OF THE GENERAL COUNSEL AND ACCEPTED BY ALICIA RAMON-KANE, ADMINISTRATIVE ASSISTANT OFFICE OF THE GENERAL COUNSEL/AUTHORIZED PERSON.**

I, Joe R. Perez, Perez Service Company, am over the age of sixteen, and am neither a party to or interested in the outcome of the above suit. I HAVE PERSONAL KNOWLEDGE OF THE FACTS SET FORTH. I have never been convicted of a felony or misdemeanor involving moral turpitude in any State or Federal Jurisdiction, and have studied and am familiar with the TEXAS RULES OF CIVIL PROCEDURE, VERNON'S TEXAS STATUTES, CIVIL PRACTICE AND REMEDIES CODE and all other applicable rules and statutes relating to service of citations and notices. I am certified by the Supreme Court of Texas and whose Certification Number is SCH 1527. The expiration date is September 30, 2017.

J-R Perez  
Joe R. Perez SCH 1527 Process Server  
Perez Service Company  
P.O. Box 18432  
1650 South Brownlee Blvd.  
Corpus Christi, Texas 78404

FILED-ANNE LORENZEN  
2016 SEP 30 PM 2:07  
BY Melissa Kadda  
JULIENNE D. COULTY &  
DISTRICT COURTS  
NUECES COUNTY, TEXAS

The foregoing "Affidavit of Delivery" was SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned Notary Public on the 30th day of September, 2016.

M. Martinez  
Notary Public-State of Texas



ORIGINAL

**Citation for Personal Service – Department of Transportation**

**Case Number: 2016CCV-62108-1**

**THE STATE OF TEXAS**

NOTICE TO DEFENDANT: You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you.

**TO: Benjamin Ortiz 26654 Players Cir., Apt 3, Lutz, FL 33559-6210 OR 4505 NW 200 St., Miami Gardens, Florida 33055**

the Defendant, by serving in **DUPLICATE** copies to the **Texas Transportation Commission, Mr. Tryon D. Lewis, By Serving His Designated Agent, THE OFFICE OF GENERAL COUNSEL, 125 E. 11th Street, Austin, Texas 78711-2483**

GREETING: You are commanded to appear by filing a written answer to the **Plaintiff's Original Petition, Civil Case Information Sheet**; at or before 10:00 o'clock a.m. of the Monday next after the expiration of 20 days after the date of service of this citation before the Honorable **Robert J. Vargas, County Court at Law #1** of Nueces County, Texas at the Courthouse of said County in Corpus Christi, Texas. Said Plaintiff's Original Petition was filed on the 12th day of September, 2016. A copy of same accompanies this citation.

The file number of said suit being Number: **2016CCV-62108-1**

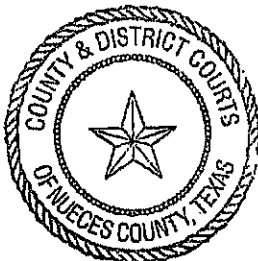
The style of the case is: **Cynthia R Perez vs. Benjamin Ortiz, Knight Transportation, Knight Transportation, Inc.**

Said petition was filed in said court by **David A Huerta** attorney for Plaintiff, whose address is **924 Leopard, Corpus Christi, TX 78401**.

The nature of the demand is fully shown by a true and correct copy of the Petition accompanying this citation and made a part hereof.

The officer executing this writ shall promptly mail the same according to requirement of law, and the mandates thereof, and make due return as the law directs.

Issued and given under my hand and seal of said court at Corpus Christi, Texas, this **21st day of September, 2016**.



**ANNE LORENTZEN, DISTRICT CLERK  
NUECES COUNTY, TEXAS  
901 LEOPARD STREET, ROOM 313  
CORPUS CHRISTI, TEXAS 78401**

BY: Martha Hominick Deputy  
Martha Hominick

**RETURN OF SERVICE**

2016CCV-62108-1

CYNTHIA R PEREZ

COUNTY COURT AT LAW #1

VS.

BENJAMIN ORTIZ, KNIGHT  
TRANSPORTATION, KNIGHT  
TRANSPORTATION, INC.

Name \_\_\_\_\_

**ADDRESS FOR SERVICE**

Benjamin Ortiz, 26654 Players Cir., Apt 3  
Lutz, FL 33559-6210 OR 4505 NW 200 St., Miami Gardens, FL.  
33055

**OFFICER'S OR AUTHORIZED PERSON'S RETURN**

Came to hand on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_ m., and executed in \_\_\_\_\_ County, Texas by delivering to the within named defendant in person, a true copy of this Notice of Petition to Suspend License with the date of delivery endorsed thereon, together with the accompanying copy of the \_\_\_\_\_, at the following times and places, to-wit:

NAME	DATE/TIME	PLACE, COURSE & DISTANCE FROM COURTHOUSE

And not executed as to the defendant(s), \_\_\_\_\_

The diligence used in finding said defendant(s) being: \_\_\_\_\_

and the cause of failure to execute this process is: \_\_\_\_\_

and the information received as to the whereabouts of said defendant(s) being: \_\_\_\_\_

Fees:	_____	Officer
Serving Petition and Copy \$ _____	_____	County, Texas
Total \$ _____	By _____	Deputy

**COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.**

In accordance with Rule 107: The officer or authorized person who serves, or attempts to serve, a Notice of Petition to Suspend License shall sign the return. The signature is not required to be verified. If the return is signed by a person other than a sheriff, constable, or the clerk of the court, the return shall be signed under penalty of perjury and contain the following statement:

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(First, Middle, Last)

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(Street, City, State, Zip, Country)

I DECLARE UNDER PENALTY OF PERJURY THAT THE FORGOING IS TRUE AND CORRECT.

Executed in \_\_\_\_\_ County, State of \_\_\_\_\_, on the \_\_\_\_\_ day of  
of \_\_\_\_\_, 20\_\_\_\_.

Declarant / Authorized Process Server \_\_\_\_\_

ID# &amp; Expiration of Certification \_\_\_\_\_

**SEE ATTACHED  
AFFIDAVIT**

COPY

**Citation for Personal Service – Department of Transportation**

**Case Number: 2016CCV-62108-1**

**THE STATE OF TEXAS**

**NOTICE TO DEFENDANT:** You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you.

**TO: Benjamin Ortiz 26654 Players Cir., Apt 3, Lutz, FL 33559-6210 OR 4505 NW 200 St., Miami Gardens, Florida 33055**

the Defendant, by serving in **DUPLICATE** copies to the Texas Transportation Commission, Mr. Tryon D. Lewis, By Serving His Designated Agent, **THE OFFICE OF GENERAL COUNSEL, 125 E. 11th Street, Austin, Texas 78711-2483**

**GREETING:** You are commanded to appear by filing a written answer to the **Plaintiff's Original Petition, Civil Case Information Sheet**; at or before 10:00 o'clock a.m. of the Monday next after the expiration of 20 days after the date of service of this citation before the Honorable **Robert J. Vargas, County Court at Law #1** of Nueces County, Texas at the Courthouse of said County in Corpus Christi, Texas. Said Plaintiff's Original Petition was filed on the 12th day of September, 2016. A copy of same accompanies this citation.

The file number of said suit being Number: **2016CCV-62108-1**

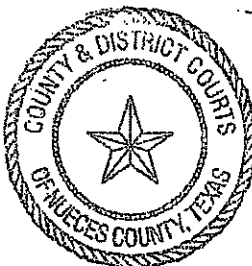
The style of the case is: **Cynthia R Perez vs. Benjamin Ortiz, Knight Transportation, Knight Transportation, Inc.**

Said petition was filed in said court by **David A Huerta** attorney for Plaintiff, whose address is **924 Leopard, Corpus Christi, TX 78401.**

The nature of the demand is fully shown by a true and correct copy of the Petition accompanying this citation and made a part hereof.

The officer executing this writ shall promptly mail the same according to requirement of law, and the mandates thereof, and make due return as the law directs.

Issued and given under my hand and seal of said court at Corpus Christi, Texas, this **21st day of September, 2016.**



**ANNE LORENTZEN, DISTRICT CLERK**  
NUECES COUNTY, TEXAS  
901 LEOPARD STREET, ROOM 313  
CORPUS CHRISTI, TEXAS 78401

BY: Martha Hominick, Deputy  
Martha Hominick

**RETURN OF SERVICE**

2016CCV-62108-1

CYNTHIA R PEREZ

COUNTY COURT AT LAW #1

VS.

BENJAMIN ORTIZ,KNIGHT  
TRANSPORTATION,KNIGHT  
TRANSPORTATION, INC.

Name \_\_\_\_\_

**ADDRESS FOR SERVICE**

Benjamin Ortiz, 26654 Players Cir., Apt 3  
Lutz, FL 33559-6210 OR 4505 NW 200 St., Miami Gardens, FL.  
33055

**OFFICER'S OR AUTHORIZED PERSON'S RETURN**

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NAME	DATE/TIME	PLACE, COURSE & DISTANCE FROM COURTHOUSE
------	-----------	--

And not executed as to the defendant(s), \_\_\_\_\_

The diligence used in finding said defendant(s) being: \_\_\_\_\_

and the cause of failure to execute this process is: \_\_\_\_\_

and the information received as to the whereabouts of said defendant(s) being: \_\_\_\_\_

Fees:	_____	Officer
Serving Petition and Copy \$	_____	County, Texas
Total \$	_____	By _____ Deputy

**COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.**

In accordance with Rule 107: The officer or authorized person who serves, or attempts to serve, a Notice of Petition to Suspend License shall sign the return. The signature is not required to be verified. If the return is signed by a person other than a sheriff, constable, or the clerk of the court, the return shall be signed under penalty of perjury and contain the following statement:

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of \_\_\_\_\_, 20\_\_\_\_.

Declarant / Authorized Process Server

ID# &amp; Expiration of Certification



## AFFIDAVIT OF DELIVERY

State of Texas

Nueces County

County Court at Law Number One

Cause Number: 2016CCV-62108-1

Cynthia R. Perez, Plaintiff

vs.

Benjamin Ortiz, Knight Transportation, Knight Transportation, Inc., Defendants

DOCUMENTS: Citation for Personal Service- Department of Transportation with Plaintiff's Original Petition and Civil Case Information Sheet

CAME TO MY HAND ON: September 21, 2016, at 3:15 p.m.

DOCUMENTS DELIVERED BY ME ON: September 28, 2016 at 12:02 p.m.

DELIVERED BY ME AT: 125 East 11<sup>th</sup> Street, 6<sup>th</sup> Floor  
Austin, Travis County, Texas 78701

X Personally delivered by me the documents (two true and correct copies of the Citation for Personal Service with Plaintiff's Original Petition and Civil Case Information Sheet) **TO KNIGHT TRANSPORTATION BY DELIVERING IN DUPLICATE COPIES TO THE TEXAS TRANSPORTATION COMMISSION; MR. TRYON D. LEWIS BY SERVING ITS DESIGNATED AGENT, THE OFFICE OF THE GENERAL COUNSEL AND ACCEPTED BY ALICIA RAMON-KANE, ADMINISTRATIVE ASSISTANT OFFICE OF THE GENERAL COUNSEL/AUTHORIZED PERSON.**

I, Joe R. Perez, Perez Service Company, am over the age of sixteen, and am neither a party to or interested in the outcome of the above suit. I HAVE PERSONAL KNOWLEDGE OF THE FACTS SET FORTH. I have never been convicted of a felony or misdemeanor involving moral turpitude in any State or Federal Jurisdiction, and have studied and am familiar with the TEXAS RULES OF CIVIL PROCEDURE, VERNON'S TEXAS STATUTES, CIVIL PRACTICE AND REMEDIES CODE and all other applicable rules and statutes relating to service of citations and notices. I am certified by the Supreme Court of Texas and whose Certification Number is SCH 1527. The expiration date is September 30, 2017.

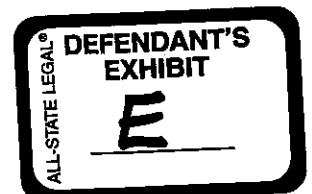
J. R. Perez  
Joe R. Perez SCH 1527 Process Server  
Perez Service Company  
P.O. Box 18432  
1650 South Brownlee Blvd.  
Corpus Christi, Texas 78404

The foregoing "Affidavit of Delivery" was SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned Notary Public on the 30<sup>th</sup> day of September, 2016.

[Signature]  
Notary Public-State of Texas



CLERK OF COUNTY &  
DISTRICT COURTS  
NUECES COUNTY, TEXAS  
2016 SEP 30 PM 2:08  
FILED BY Vickie Koller  
CLERK OF COUNTY &  
DISTRICT COURTS  
NUECES COUNTY, TEXAS



ORIGINAL

**Citation for Personal Service – Department of Transportation**

**Case Number: 2016CCV-62108-1**

**THE STATE OF TEXAS**

NOTICE TO DEFENDANT: You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you.

**TO: Knight Transportation 115232 Stoney Creek Road, Noblesville, IN 46060**

the Defendant, by serving in **DUPLICATE** copies to the, **Texas Transportation Commission, Mr. Tryon D. Lewis, By Serving His Designated Agent, THE OFFICE OF GENERAL COUNSEL, 125 E. 11th Street, Austin, Texas 78701-2483.**

GREETING: You are commanded to appear by filing a written answer to the **Plaintiff's Original Petition, Civil Case Information Sheet**; at or before 10:00 o'clock a.m. of the Monday next after the expiration of 20 days after the date of service of this citation before the Honorable **Robert J. Vargas, County Court at Law #1** of Nueces County, Texas at the Courthouse of said County in Corpus Christi, Texas. Said Original Petition Documents E-filed (Plaintiff's Original Petition) was filed on the 12th day of September, 2016. A copy of same accompanies this citation.

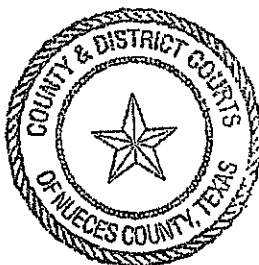
The file number of said suit being Number: **2016CCV-62108-1**

The style of the case is: **Cynthia R Perez vs. Benjamin Ortiz, Knight Transportation, Knight Transportation, Inc.**

Said petition was filed in said court by **David A Huerta** attorney for Plaintiff, whose address is **924 Leopard, Corpus Christi, TX 78401.**

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The officer executing this writ shall promptly mail the same according to requirement of law, and the mandates thereof, and make due return as the law directs. Issued and given under my hand and seal of said court at Corpus Christi, Texas, this **21st day of September, 2016.**



**ANNE LORENTZEN, DISTRICT CLERK  
NUECES COUNTY, TEXAS  
901 LEOPARD STREET, ROOM 313  
CORPUS CHRISTI, TEXAS 78401**

BY: Martha Hominick Deputy  
Martha Hominick



**RETURN OF SERVICE**

2016CCV-62108-1

CYNTHIA R PEREZ

COUNTY COURT AT LAW #1

VS.

BENJAMIN ORTIZ, KNIGHT  
TRANSPORTATION, KNIGHT  
TRANSPORTATION, INC.

Name \_\_\_\_\_

**ADDRESS FOR SERVICE**Knight Transportation  
115232 Stoney Creek Road  
Noblesville, IN 46060**OFFICER'S OR AUTHORIZED PERSON'S RETURN**

Came to hand on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_ m., and executed in \_\_\_\_\_ County, Texas by delivering to the within named defendant in person, a true copy of this Notice of Petition to Suspend License with the date of delivery endorsed thereon, together with the accompanying copy of the \_\_\_\_\_, at the following times and places, to-wit:

NAME	DATE/TIME	PLACE, COURSE & DISTANCE FROM COURTHOUSE
And not executed as to the defendant(s), _____		
The diligence used in finding said defendant(s) being: _____		
and the cause of failure to execute this process is: _____		
and the information received as to the whereabouts of said defendant(s) being: _____		

Fees:

Serving Petition and Copy \$ \_\_\_\_\_

Total \$ \_\_\_\_\_

\_\_\_\_\_, Officer

\_\_\_\_\_, County, Texas

By \_\_\_\_\_

\_\_\_\_\_, Deputy

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Executed in \_\_\_\_\_ County, State of \_\_\_\_\_, on the \_\_\_\_\_ day of  
of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Declarant / Authorized Process Server\_\_\_\_\_  
ID# & Expiration of Certification**SEE ATTACHED  
AFFIDAVIT**

COPY

**Citation for Personal Service – Department of Transportation**

**Case Number: 2016CCV-62108-1**

**THE STATE OF TEXAS**

NOTICE TO DEFENDANT: You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you.

**TO: Knight Transportation 115232 Stoney Creek Road, Noblesville, IN 46060**

the Defendant, by serving in **DUPLICATE** copies to the, **Texas Transportation Commission, Mr. Tryon D. Lewis, By Serving His Designated Agent, THE OFFICE OF GENERAL COUNSEL, 125 E. 11th Street, Austin, Texas 78701-2483.**

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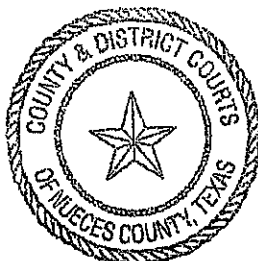
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The style of the case is: **Cynthia R Perez vs. Benjamin Ortiz, Knight Transportation, Knight Transportation, Inc.**

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**ANNE LORENTZEN, DISTRICT CLERK  
NUECES COUNTY, TEXAS  
901 LEOPARD STREET, ROOM 313  
CORPUS CHRISTI, TEXAS 78401**

BY: Martha Hominick, Deputy  
Martha Hominick

**RETURN OF SERVICE**

2016CCV-62108-1

CYNTHIA R PEREZ

COUNTY COURT AT LAW #1

VS.

BENJAMIN ORTIZ, KNIGHT  
TRANSPORTATION, KNIGHT  
TRANSPORTATION, INC.

Name \_\_\_\_\_

**ADDRESS FOR SERVICE**Knight Transportation  
115232 Stoney Creek Road  
Noblesville, IN 46060**OFFICER'S OR AUTHORIZED PERSON'S RETURN**

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and the cause of failure to execute this process is: \_\_\_\_\_

and the information received as to the whereabouts of said defendant(s) being: \_\_\_\_\_

Fees:	_____	Officer
Serving Petition and Copy \$	_____	County, Texas
Total \$	_____	By _____ Deputy

**COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.**

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Executed in \_\_\_\_\_ County, State of \_\_\_\_\_, on the \_\_\_\_\_ day of  
of \_\_\_\_\_, 20\_\_\_\_.

Declarant / Authorized Process Server

ID# &amp; Expiration of Certification

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**

**CYNTHIA R. PEREZ**

**V.**

**BENJAMIN ORTIZ, KNIGHT  
TRANSPORTATION AND KNIGHT  
TRANSPORTATION, INC.**

§  
§  
§  
§  
§  
§

**CIVIL ACTION NO. 2:16-cv-436**

**JURY REQUESTED**

**LIST OF PARTIES, COUNSEL OF RECORD AND STATUS**

**PLAINTIFF:**

**Cynthia R. Perez**

**DEFENDANTS:**

Knight Transportation, Inc.  
Knight Transportation  
Benjamin Ortiz

**ATTORNEYS:**

**ATTORNEY FOR PLAINTIFF:**

David Huerta  
SBN: 00796792  
FBN:  
**HUERTA GUERRA BEAM, PLLC**  
924 Leopard Street  
Corpus Christi, TX 78401  
361/884-1632  
361/884-7013 (fax)  
[dhuerta@hgblawfirm.com](mailto:dhuerta@hgblawfirm.com)

**ATTORNEY FOR DEFENDANT**

Roger D. Oppenheim  
SBN: 15293400  
FBN: 14205  
**LORANCE & THOMPSON, PC**  
2900 North Loop West, Ste. 500  
Houston, TX 77092  
713/868-5560  
713/864-4671 (fax)  
[rdo@lorancethompson.com](mailto:rdo@lorancethompson.com)

**STATUS OF REMOVED CASE:**

September 12, 2016 Plaintiff's Original Petition with Requests for Disclosure

October 19, 2016 Defendants' Notice of Removal

Defendants, Knight Transportation, Knight Transportation, Inc. and Benjamin Ortiz, have been served with the Plaintiff's Original Petition with Requests for Disclosure. Defendants have not filed responses to written discovery. No depositions have been taken. The matter has not been mediated. The case has no trial setting or other court ordered deadlines.

Respectfully submitted,

/s/ Roger D. Oppenheim

---

Roger D. Oppenheim

FBN: 14206

SBN: 15292400

OF COUNSEL:

**LORANCE & THOMPSON, P.C.**

2900 North Loop West, Suite 500

Houston, TX 77092

713/868-5560

713/864-4671 (fax)

[rdo@lorancethompson.com](mailto:rdo@lorancethompson.com)

ATTORNEY FOR DEFENDANTS

BENJAMIN ORTIZ, KNIGHT TRANSPORTATION

AND KNIGHT TRANSPORTATION, INC.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 19<sup>th</sup> day of October, 2016, a true and correct copy of the foregoing instrument was served by e-filing and/or facsimile to the following counsel of record:

Mr. David A. Huerta

Huerta Guerra Beam, PLLC

924 Leopard Street

Corpus Christi, TX 78401

[dhuerta@hgblawfirm.com](mailto:dhuerta@hgblawfirm.com)

/s/ Roger D. Oppenheim

---

Roger D. Oppenheim